

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6810

BILL NUMBER: SB 299

NOTE PREPARED: Dec 31, 2007

BILL AMENDED:

SUBJECT: Victim Confidentiality.

FIRST AUTHOR: Sen. Becker

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 X DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: This bill provides that victim advocates and victim services providers may not give testimony, produce records, or disclose certain confidential communications and confidential information without the victim's consent. It also provides that a victim may not be forced to consent to the disclosure of confidential information in order to receive counseling or advocacy services. The bill requires a victim to be notified if confidential information is disclosed.

Effective Date: July 1, 2008.

Explanation of State Expenditures: The legislation expands the population of individuals that can receive compensation from the Violent Crime Victims Compensation Fund. The bill provides that individuals that are currently dating or were dating their assailant are entitled to receive compensation from the fund. This can decrease revenue in the fund to the extent that victims made eligible for compensation elect to apply for compensation. The number of new individuals that would be considered victims of crimes of domestic violence is indeterminable.

Background Information: Victims of violent crimes are entitled to compensation from the fund provided they are the victim of certain crimes, at least 18 years of age, cooperate with law enforcement, have a net worth at the time of injury of less than \$200,000, and incur at least \$100 in out-of-pocket expenses related to the crime. Current law requires that if the fund would be reduced below \$250,000 by payment in full for all awards that become final in a given month, the Indiana Criminal Justice Institute (CJI) is required to suspend payment of the claims that become final during that month and the following two months. At the end of this period, CJI is required to pay the suspended claims unless the amount to be paid for the suspended claims would exhaust the account. If these suspended claims would exhaust the account, a prorated amount is

required to be paid.

The Violent Crime Victims Compensation Fund at the end of FY 2007 received \$3,238,948 in revenue from fees and transfers and expended \$2,835,856 for grants, distributions, and subsidies to victims. The total expenses for the account (administration and amounts paid to victims) for FY 2007 was \$3,052,799.

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Indiana Criminal Justice Institute.

Local Agencies Affected:

Information Sources: Indiana State Auditor, State Budget Agency.

Fiscal Analyst: Bill Brumbach, 232-9559.